

Applicant request Special Exceptions under Sections 2.16.050 C (Rear Yard Setback) and J (Carport over a driveway) in an R-3 (Residential) zone.

This would legalize a 14 by 17' carport (238 square feet), the entirety of which encroaches into the required front yard setback and is located within 11' of the front property line. It would also legalize a 212.8 square foot patio addition to the back of the existing single-family residence. The rear yard setback would need to be 22' to achieve the required 50' cumulative setback in the R-3 District. This means that the entirety of the carport, a total of 238 square feet is within the required front yard. There is also a patio located on the western side of the house, of which 5' encroaches onto the side setback for a total of 80 sq. ft. The encroaching portion shall be removed.

The required front setback is 20', the required rear setback is 20' and the required cumulative front and rear yard setback total is 50' in the R-3 zone district.

BACKGROUND

The subject property was constructed in 1981.

The Planning Division has not received any communications in support or opposition to the special exception request.

CALCULATIONS

Permitted carport area = 353.6 sq. ft. (house 1st floor area of 1768 sq. ft. ÷ 5)

Requested carport area = 238 sq. ft. (14' x 17')

Required front yard setback = 28'

Requested front setback = 11'

Permitted area of encroachment in required rear yard setback = 264 sq. ft. (20 [60' average lot width ÷ 3] x 13.2 [3/5 of 22' required rear yard setback])

Requested area of encroachment in rear yard setback = 212.8 sq. ft.

Required rear yard setback = 20'

Requested rear yard setback = 14'

Required front and rear yard setback total = 50'

Requested front and rear yard setback total = 32'

STAFF RECOMMENDATION

Staff recommends approval with a couple of conditions for approval for the request of Special Exceptions C and J. the conditions are as follows:

1. *The storage structure in the rear yard of the subject property shall be reduced, removed or relocated so that it no longer encroaches on the 5' utility easement.*
2. *The 80 sq. ft. of patio within the required side yard, located on the western side of the property shall be removed.*
3. *The columns of the existing carport be clad in brick.*

The Zoning Board of Adjustment is empowered under Section 2.16.050 C to:

"Permit an extension of a single-family residential structure into the required rear yard setback, which shall be measured to the rear property line; provided, however, that:

1. The residence has been in existence with a valid certificate of occupancy for one continuous year;
2. The maximum square footage allowed shall not exceed the result of multiplying one-third of the average width of the lot by three-fifths of the required rear yard setback;
3. A minimum ten-foot rear yard setback shall be required;

4. The minimum side and side street yard setbacks shall not be reduced; and
5. Unless otherwise provided in this section, all remaining areas of the required rear yard shall be permanent open space.”

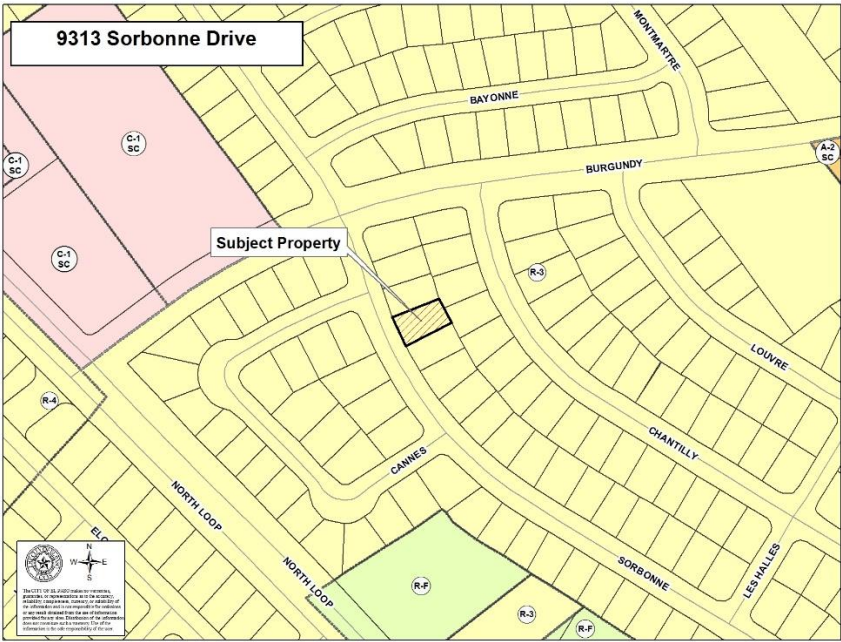
The Zoning Board of Adjustment is empowered under Section 2.16.050 J to:

“Permit the encroachment into the required front yard setback for a lot in a residential (R) district beyond other allowed modifications for a carport covering a driveway; provided, however, that:

1. The residence has been in existence with a valid certificate of occupancy for one continuous year;
2. The zoning board of adjustment has received the written approval of the structural design from the building official;
3. The carport shall be constructed of the same material, architectural design, and color scheme as the residential structure, shall be open on three sides, shall be attached to the main structure and shall rise no higher than the highest point of the roof of the dwelling;
4. The area of the carport shall not exceed one-fifth of the first-floor area under roof of the dwelling and shall be measured as the area covered by the carport roof, to include overhangs;
5. Elevation drawings of the proposed structure shall be submitted;
6. For a duplex, the total of all extensions for either unit of the duplex shall not exceed two-thirds of the average width of that unit;
7. There is no other reasonable alternative to provide a carport in the front yard of the subject property without exceeding the encroachments allowed in Title 20 of this Code; and
8. Unless otherwise provided in this chapter, all remaining areas of the required front yard shall be permanent open space.”

ITEM #2

ZONING MAP

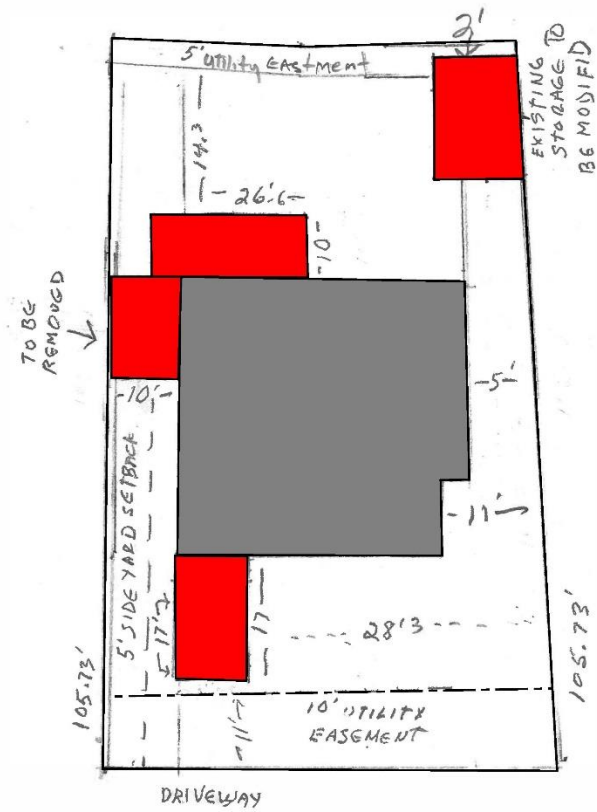


NEIGHBOR NOTIFICATION MAP



ITEM #2

SITE PLAN



OSCAR & DOLORES SILVA
 9313 Sorbonne Dr
 El Paso TX. 79907

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